

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

NEAL FLOWERS,)
)
 Plaintiff,)
)
 vs.) No. CIV-15-446-C
)
SHANNON KILE, KEN MOORE,)
)
 Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on June 22, 2015, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

The facts and law are accurately set out in the Magistrate Judge's Report and Recommendation and there is no purpose to be served in repeating them yet again. There is nothing asserted by the Plaintiff which was not fully considered and correctly rejected by the Magistrate Judge, and no argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, Plaintiff's § 1983 cause of action is DISMISSED under 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(B) as frivolous and for failure

to state a claim upon which relief may be granted. The Court declines to exercise supplemental jurisdiction over the state tort claim of slander. A judgment will enter accordingly. This dismissal counts as a “strike” under 28 U.S.C. § 1915(g).

IT IS SO ORDERED this 30th day of June, 2015.



ROBIN J. CAUTHRON
United States District Judge